

### ARTICLE 3 DEFINITIONS

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For the purpose of this Ordinance, certain words and terms are used in a limited or special sense as defined herein. Words used in the present tense include the future; the singular number includes plural and the plural singular; the word "structure" includes "building"; the word "used" includes arranges, designed, constructed, altered, converted, rented, leased, or intended to be used; and the word "shall" is mandatory and directory.

**Abutting:** Having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

**Accent:** Giving prominence to one or more elements of site design.

**Accessory Dwelling Unit:** A subordinate dwelling unit in a main building or accessory building for use as a complete, independent living facility with provision within the accessory dwelling for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling.

**Accessory Structure:** A subordinate structure customarily incidental to and located upon the same lot occupied by the main use or building, including, but not limited to, private garage, carport, parking space other than for residential, swimming pool, tennis court, storage or utility building, decks, balconies, porticos, porches and living quarters for household employees or caretakers. Accessory structures can be attached or detached, depending upon their use and construction.

**Accessory Use:** A use incidental to, and on the same lot as, a principal use. (See also Accessory Dwelling Units; Home Occupation)

**Acre:** A unit of land measure containing 43,560 square feet.

**Acreage:** A parcel of land, regardless of area, described by metes and bounds which is not a numbered lot on any recorded subdivision plat.

**Active Recreation:** Intensive play or athletic activity involving individual or group participation in games, sports or other activity. Includes such activities as baseball, basketball, tennis, soccer, golf, swimming, riding and other activities involving physical exertion. May be private, public or commercial in nature.

**Active Recreation Area:** Area designed for intensive play or athletic activity by either juveniles or adults.

**Administrator or Agent:** See Zoning Administrator.

**Agriculture:** The tilling of the soil, the raising of crops, horticulture, and forestry, but not including any agricultural industry or business, such as fruit packing plants, dairies, or similar use.

**Alley:** A permanent service way, with a minimum width of twenty (20) feet, providing a secondary means of vehicular access to an abutting property, and not intended for general traffic circulation.

**Alteration:** Any change, addition, or modification in the total floor area, use, adaptability, or external appearance of an existing structure.

**Amusement Arcade:** A building or part of a building in which five or more pinball machines, videogames, or other similar player-operated amusement devices are maintained.

**Animal Hospital or Clinic:** Establishment where treatment is received and no activity is conducted outside the main building. Kennels are not by definition included.

**Animal Kennel:** An establishment licensed to operate a facility housing dogs, cats, or other household pets and where grooming, breeding, boarding, training, or selling of animals is conducted as a business.

**Animal Kennel, Private:** Any building, buildings, or land designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for the purposes of show, hunting, or as pets.

**Apartment House:** A residential building located on a single lot used or intended to be used as the residence of three (3) or more families living independently of each other, typically sharing a common entrance and hallway for access to individual units, not including row or townhouses (See Dwelling: Multifamily).

**Applicant-Owner:** An individual, corporation, proprietor, trust, trustee, joint venture, partnership, or other entity having legal title to any tract of land or parcel of land to be developed, whether or not they have given their power of attorney to one of their group, or

another individual or entity to act on their behalf in planning, negotiation, or in representing or executing the requirements of the ordinances of the Town of Warrenton.

**Appraiser:** A person who earns his livelihood from the appraisal of real property, as contrasted with the selling of property, and who meets the standards for membership in the American Institute of Real Estate Appraisers.

**Architect:** A person who is recognized by the Commonwealth of Virginia and who is registered with the State Department of Professional and Occupational Registration, or registered with a like body in another state, as a licensed architect.

**Area, Gross Leasable:** Inside square footage of a building including retail, wholesale, and storage space, exclusive of halls, closets, elevator shafts, toilets, etc., and any outside display.

**Assembly Hall:** A building or part of a building intended and designed for the conduct of meetings, presentations, and the like.

**Assisted Living Facility:** A place, establishment, or institution, operated for the maintenance or care of four or more adults who are aged, infirm, or disabled and who are cared for in a primarily residential setting. The level of service provided for these adults shall include at least moderate assistance with the activities of daily living. (Amended by Council 5/14/96)

**Atrium House:** A one-story, single-family, attached dwelling shaped to surround or partly surround a private open space called an atrium, it being a type of townhouse unit (See Townhouse).

**Attached Accessory Structure:** An attached subordinate structure customarily incidental to and located upon the same lot occupied by the main use or building, including but not limited to a private garage, carport, balcony and deck.

**Automobile Graveyard:** Any lot or place which is exposed to the weather upon which more than five motor vehicles of any kind, incapable of being operated, are placed.

**Basement:** A story having part but not more than one-half of its height below grade. A basement shall be counted as a story for the purpose of height regulations, if it is used for business purposes, or for dwelling purposes by other than a janitor employed on the premises.

**Bed and Breakfast Facility:** A private residence, or portion thereof, where short-term lodging (no longer than 14 consecutive days) and meals are provided for compensation. The operator of the facility shall live on the premises or in an adjacent premises on the same lot.

**Bedroom:** A room in a dwelling unit planned and intended for sleeping, separable from other rooms by a door.

**Berm:** A continuous bank of earth designed and placed to block or partially obscure elements of a site (such as a parking area) or of a building (such as a loading dock). Berms typically range in height from two (2) to six (6) feet, with width-to-height ratios of from 2:1 to 5:1. Berms are often used in combination with shrubbery and trees.

**Block:** That land abutting on one side of a street extending to the rear lot lines (or, for parcels of land extending through to another street, to a line midway between the two streets) and lying between the nearest intersecting and intercepting streets and boundary of any railroad right-of-way, park, school ground, or unsubdivided acreage or center line of any drainage channel twenty (20) or more feet in width.

**Boardinghouse:** A building that is the primary residence of the owner where meals and lodging are provided, for compensation, on a permanent basis for up to ten (10) individuals not related by blood, marriage, or adoption to the owner.

**Buffer:** A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another or from the roadway or to block noise or other nuisances.

**Building:** A structure having one (1) or more stories and a roof, designed primarily for support and shelter of persons, animals, or property of any kind. When a structure is divided into separate parts by fire walls, each having separate plumbing, electrical, heating, drainage, and ventilation, each part so divided shall be deemed a separate structure.

**Building Area:** The area of the horizontal section of the buildings taken at their greatest outside dimensions on the ground floor including all attached structures and covered porches.

**Building, Height of:** The vertical distance measured from the level of the curb or the established curb grade opposite the middle of the front of the structure to the highest point of the roof if a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof. For buildings set back more than ten (10) feet from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building.

**Building Line:** The line which establishes the distance of a building from any lot boundary line.

**Building, Main:** The principal structure or one of the principal buildings on a lot, or the building or one of the principal buildings housing the principal use on the lot.

**Building Official:** The official recognized and/or designated by Town Council to administer and enforce the Building Code.

**C - District:** Any zoning district beginning with "C", such as CL, CG, and CBD.

**Caliper:** A measurement of the diameter of a tree trunk taken at six (6) inches above groundline for trees up to four (4) inches in diameter, and at twelve (12) inches above groundline for larger trees.

**Capital Improvement Plan:** A plan outlining the nature, location, costs, funding, and timing of future capital expenditures for community facilities such as streets, sidewalks, drainage facilities, water and wastewater lines and treatment facilities, parks, public buildings, and required property.

**Car Port:** A structure attached to a dwelling unit, open on at least one (1) side, designed for the parking and storage of vehicles by the residents of the dwelling and their guests.

**Car Wash:** A building or area of land that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and which may employ some hand labor.

**Carnival:** An amusement show, usually traveling from place to place, containing rides, side shows, and other forms of entertainment.

**Cellar:** A story having more than one-half of the height below grade.

**Cemetery:** A place where lots are sold for the burial of the dead.

**Centerline:** The midpoint of the width of a highway or right-of-way.

**Child:** Any person under eighteen (18) years of age.

**Child Care Center:** A facility operated for the purpose of providing care, protection, and guidance to a group of four (4) or more children separated from their parents or guardians during part of the day only, and meeting the licensing requirements for child care centers of Section 63.1-196 of the Code of Virginia, 1950, as amended.

**Church (or place of religious worship):** A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.

**Clear-cutting:** The indiscriminate removal of trees, shrubs, or undergrowth with the intention of preparing real property for nonagricultural development purposes. This definition does not include the selective removal of non-native tree and shrub species when the soil is left relatively undisturbed; removal of dead trees and shrubs; or normal mowing operations.

**Clinic:** A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities. This definition includes a group practice in which several licensed health care professionals work cooperatively.

**Club:** Buildings and/or facilities owned and operated by a corporation, association, or persons, which serves as a gathering place for a group of individuals organized for a common purpose to pursue common goals, interests, or activities and characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by-laws.

**Cluster Alternate:** A residential development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas or historic and cultural resources.

**Coherence:** Logically consistent arrangement of plan elements.

**Commercial Nurseries and Greenhouses:** An area or establishment for the propagation, growing, or selling of nursery stock for gardens, grounds, and yards. Such stock may include trees, plants, shrubs, and vines. Landscape contracting of nursery stock shall be permitted as a use.

**Commercial Use:** An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

**Commission, the:** The Planning Commission of Warrenton, Virginia.

**Community Building:** A building and associated facilities and area, usually owned by a public nonprofit group or agency, used for and providing fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

**Comprehensive Plan:** Maps, charts, and descriptive matter officially adopted by the Warrenton Town Council showing, among other things, recommendations for the most appropriate use of land; for the most desirable density of population; for a system of thoroughfares, parkways and recreation areas; for the general location and extent of facilities for water and sewer; and for the general location, character and extent of community facilities.

**Condominium:** A building or group of buildings in which units are owned individually and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

**Conference Center:** A facility designed for conducting large or small group meetings. Such facilities may include overnight accommodations or short term lodging (not longer than fourteen (14) consecutive days), food preparation and service, entertainment, social or charitable events, and recreational facilities. (amended by Council 7/11/95)

**Conservation Easement:** An easement granting a right or interest in real property that is appropriate to retaining land or water areas and their structures in their built, natural, scenic, open, or wooded condition, or for the purpose of maintaining existing land uses.

**Construction Standards:** Specifications and standards as adopted by or applicable in the Town of Warrenton relating to the construction of all physical improvements.

**Convalescent Home:** See Nursing Home.

**Convenience Retail:** Any retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with the same and having a gross floor area of less than five thousand (5,000) square feet.

**Council:** The Town Council of Warrenton, Virginia.

**Covenant:** A formal agreement of legal validity between two (2) or more parties outlining restrictions, rights, or responsibilities concerning the use of property or structures.

**Cul-de-sac:** A street with only one (1) outlet having an appropriate turn-around area for a safe and convenient reverse of traffic movement.

**Dairy:** A commercial establishment for the manufacture and sale of dairy products.

**Day Care Center:** See Child Care Center and Family Day Care Home.

**Deck:** An exterior, roofless, floor system supported on at least two opposing sides by an adjoining dwelling/structure and/or posts, piers or other independent supports.

**Density:** The number of dwelling units per gross acre of land.

**Detention Facility:** A facility which serves the purpose of collecting and retaining rainfall falling on a site for controlled release to primary storm water management facilities as a result of land alteration activities.

**Developer or Subdivider:** An individual, corporation, proprietor, trust, trustee, joint venture, partnership, or other entity having legal title to any tract of land or parcel of land to be developed, whether or not they have given their power of attorney to one of their group, or another individual or entity to act on their behalf in planning, negotiation, or in representing or executing the requirements of the ordinances of the Town of Warrenton.

**Development:** Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations.

**District:** A section of the Town of Warrenton within which the zoning regulations are uniform.

**Drive-In Facility:** Any portion of a building or structure from which customers can receive a service or obtain a product while in their motor vehicle.

**Driveway or Accessway:** That space specifically designated and reserved on the site for movement of vehicles from one location to another on site or from the site to a public street.



**Drug Store:** A retail establishment offering a variety of consumer goods with a licensed pharmacist on staff for the purpose of dispensing prescription drugs.

**Dustless Surface:** A surface adequately covered in accordance with good construction practice, with a minimum of either two (2) applications of bituminous surface treatment concrete, or bituminous concrete approved by the Town, and to be maintained in good condition at all times.

**Dwelling:** Any structure, or portion thereof, which is designed for generally permanent residential purposes, not including hotels, boardinghouses, lodging houses, tourist cabins, automobile trailers, or mobile homes.

**Dwelling, Accessory:** See Accessory Dwelling Unit.

**Dwelling, Duplex:** Two (2) single-family attached dwellings.

**Dwelling, Elderly and Handicapped:** A building or portion thereof containing at least ten (10) dwelling units and within which at least ninety (90) percent of all dwelling units are occupied by or designed for occupancy by:

- (a) Families of two or more persons the head of which (or his or her spouse) is 55 years of age or over or is handicapped; or
- (b) The surviving member or members of any family described in paragraph (a) living in a unit within the building with the deceased member of the family at the time of his or her death; or
- (c) A single person who is 55 years of age or over, or a non-elderly handicapped person between the ages of 18 and 55; or
- (d) Two (2) or more elderly or handicapped persons living together, or one or more such persons living with another person who is determined by a licensed physician's certification to be essential to their care or well-being.

For the purpose of this definition Handicapped Person means any adult having an impairment which is expected to be of an indefinite duration, is a substantial impediment to his or her ability to live independently, and is of a nature that such ability could be improved by more suitable housing conditions. A person also shall be considered handicapped if he or she is developmentally disabled, i.e., if he or she has a disability attributable to mental retardation,

cerebral palsy, epilepsy, or another neurological condition closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen, which constitutes a substantial handicap to such individual.

**Dwelling, Four-Family:** A residential structure, occupying one lot, arranged or designed to be occupied by four (4) families living independently of each other, generally with separate entrances for each dwelling unit and common open space surrounding the structure.

**Dwelling, Mixed Commercial Use:** A dwelling unit in a structure that is also designed and used for commercial purposes. Access to the dwelling unit is separate from access to areas used for commercial purposes and the unit is typically located in basements or upper stories with commercial uses occurring at the street level of the structure.

**Dwelling, Mobile Home:** A structure, transportable in one (1) or more sections, which is eight (8) body feet in width and which is thirty-two (32) body feet or more in length, and which is built on a permanent chassis and designed to be used with a permanent foundation when connected to the required utilities, used as a year-round single-family residence.

**Dwelling, Modular:** A dwelling unit constructed through use of large, prefabricated, mass-produced, partially preassembled sections or modules which are subsequently put together on-site.

**Dwelling, Multifamily:** A residential structure arranged or designed to be occupied by more than one (1) family living independently of each other, the structure having more than two (2) dwelling units and generally having a common entrance or hallway providing access to dwelling units.

**Dwelling, Single-Family, Attached:** One (1) of two (2) or more residential buildings having a common party wall separating dwelling units, each dwelling unit occupying a separate lot.

**Dwelling, Single-Family, Detached:** A structure arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

**Dwelling, Three-Family:** A residential structure, occupying one (1) lot, arranged or designed to be occupied by three (3) families living independently of each other, generally with separate entrances for each dwelling unit and common open space surrounding the structure.

**Dwelling, Triplex:** A group of three (3) townhouse units.

**Dwelling, Townhouse:** A dwelling unit, occupying one(1) lot, attached by means of a common vertical wall or walls, extending from the floor of the basement to the roof, to a series of similar dwelling units, each of which has individual access from the outdoors and each of which normally consists of two (2) or three (3) stories, situated on one (1) lot. The term "townhouse" is inclusive of the terms "atrium house" and "patio house."

**Dwelling, Two-Family:** A structure arranged or designed to be occupied by two (2) families living independently of each other, with separate entrances for each dwelling unit and common open space surrounding the structure.

**Dwelling, Quadriplex:** A group of four (4) townhouse units.

**Dwelling Unit:** One (1) or more rooms in a structure designed for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the unit.

**Easement:** A grant of one (1) or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity.

**Emergency Housing:** The housing is designated to provide emergency housing for a maximum of sixty (60) days. Emergency housing and related counseling services shall be provided by a Fauquier County/Town of Warrenton recognized human service organization. A house coordinator must reside on the premises, and a substitute house coordinator shall be on the premises if the house coordinator is away from the residence for more than one day. (amended by Council 10/10/96)

**Engineer:** A person who is recognized by the Commonwealth of Virginia and who is registered with the State Department of Professional and Occupational Registration, or registered with a like body in another state, as a "professional engineer."

**External Relationships:** Those associations pertaining to both on- and off-site considerations.

**Facilities:** Something designed, built, installed, etc., to serve a specific function affording a convenience, use or service to the users.

**Family:** One (1) or more persons occupying a dwelling unit and living and cooking together as a single, nonprofit, housekeeping unit, provided that not more than four (4) persons not related by

blood, marriage, adoption, or guardianship shall constitute a family unless such group is composed of handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. Such unrelated handicapped individuals shall have the right to occupy a dwelling unit in the same manner and extent as any family unit established through kinship as defined above.

**Family Day Care Home:** A private family home in which more than three (3) children, but no more than six (6) children, are received for care, protection, and guidance during only part of the day, except children who are related by blood or marriage to the person who maintains the home, and meeting applicable licensing requirements for family care homes of Section 63.1-196 of the Code of Virginia, 1950, as amended.

**Farmer's Market:** A place where locally grown produce and goods are sold on a temporary or seasonal basis to the general public, not including wholesale or bulk sales to commercial enterprises or the sale of crafts, household items, or other nonagricultural items.

**Fence:** Any artificially constructed barrier of any material or combination of materials erected to enclose, partition, or screen areas of land.

**Floodplain:** A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation, or an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

**Floodproofing:** The protection of structures and public utility systems from damage caused by inundation or seepage of flood waters.

**Floodway:** The floodway is the channel of a stream plus any adjacent flood plain areas that must be kept free of encroachment in order that the 100-year flood can be discharged without cumulatively increasing the water surface elevation more than one foot at any point.

**Flood Hazard District:** The area subject to inundation by waters on the 100-year flood, which is the flood that has a one (1) percent chance of being equalled or exceeded in any given year, as defined by the Federal Emergency Management Agency.

**Flood Fringe:** All that land in a floodplain not lying within a delineated floodway and subject to inundation by relatively low velocity flows and shallow water depths.

**Foster Home:** A residence of any person in which one (1) or more children, other than a child by birth or adoption of such person, resides as a member of the household.

**Frontage:** That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot. The distance between the side lines of any lot measured along a line, established by the required setback, generally paralleling the street upon which the lot fronts.

**Funeral Home:** A building or part thereof used for human funeral services. Such building may contain space and facilities for the following: embalming and the performance of other services used in the preparation of the dead for burial; the performance of autopsies and other surgical procedures; the storage of caskets, funeral urns, and other related funeral supplies; and, the storage of funeral vehicles, but not including facilities for cremation.

**Garage, Private:** Accessory building designed or used for the private storage of not more than three (3) automobiles owned and used by the occupants of the building to which it is accessory, with no facilities for mechanical service or repair of a commercial or public nature. On a lot occupied by a multiple-unit dwelling, the private garage may be designed and used for the storage of twice as many automobiles as there are dwelling units.

**Garage, Public:** A building or portion thereof, other than a private garage, designed or used as a business enterprise with a fee or service charge being paid to the owner for renting, selling, or storing motor-driven vehicles.

**Garage, Repair:** Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of motor vehicles is conducted or rendered, such services taking place within an enclosed building or screened from public view.

**Garden Apartment:** A dwelling unit situated within a structure consisting of no more than three (3) stories with access to the dwelling units provided by means of an interior hallway or foyer, each dwelling unit normally consisting of a portion of one (1) floor of the structure.

**Gasoline Service Station:** Any area of land, including structures thereon, or any building or part thereof, that is used for the sale of gasoline or other motor vehicle fuel or accessories, and which may or may not include facilities for lubricating, washing, or otherwise servicing motor vehicles but which shall not include painting or body and fender repairs.

**Geometric Design:** Typical cross-sections used in street design.

**Golf Course:** Any area of land, publicly or privately owned, on which the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges as defined herein.

**Golf Driving Range:** A limited area on which golf players do not walk, but onto which they drive golf balls from a central driving tee.

**Governing Body:** The Town Council of Warrenton, Virginia.

**Grade:** The average of the finished ground level at the center of all walls of a building. In the case where walls are parallel to and within five (5) feet of a sidewalk, the ground level shall be measured at the sidewalk.

**Gross Floor Area:** The sum of the total horizontal areas of all floors of a structure on a lot, including basements, elevator shafts, stairwells, and enclosed porches or atriums. This definition does not include floor space not used for human habitation or suitable for temporary storage of merchandise or equipment such as areas designed for heating and ventilating equipment, off-street parking, or areas with less than six (6) feet, six (6) inches or more of structural headroom.

**Gross Leasable Space:** See Area, Gross Leasable.

**Group Home:** A building which provides living accommodations for the physically or mentally handicapped, children sixteen (16) years of age or younger, abused adults, or persons sixty-five (65) years of age or older. The residents of such groups homes shall be supervised by a resident counsellor in charge of their area.

**Health Official:** The Director of the Health Department for the Town of Warrenton, County of Fauquier, Virginia, or his designated agent.

**Health or Fitness Club:** An indoor establishment, including saunas and steambaths, offering or providing facilities for and instruction in general health, physical fitness, and controlled exercises such as weight lifting, calisthenics, and aerobic dancing.

**Heliport:** Any landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging of passengers or cargo, including fueling and emergency service facilities.

**Highway Engineer:** The Resident Engineer of Fauquier County, Virginia, employed by the Virginia Department of Transportation.

**Historic District:** An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

**Home Garden:** A garden in a residential district for the production of vegetables, fruits, and flowers generally for use and/or consumption by the occupants of the premises.

**Home Occupation:** Any occupation or activity conducted solely by a member of the family residing on the premises which is incidental and secondary to the use of the premises for dwelling, provided that (a) not more than the equivalent area of one quarter (1/4) of one (1) floor shall be used for such purpose; (b) that such occupation shall not require external or internal alterations, or the use of machinery or equipment not customary for purely domestic household purposes; (c) that no commodity is stored or sold, except as are made on the premises; (d) there shall be no group instruction, assembly or activity, or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling. When within the above requirement, a home occupation includes, but is not limited to the following: art studio; dressmaking; activities permitted in Home offices (See Home offices); teaching, with musical instruction limited two 2) pupils at a time; however, a home occupation shall not be interpreted to include the conduct of barber shops and beauty parlors, nursing homes, convalescent homes, rest homes, child care centers, day care centers or nursery schools, home professional offices, restaurants, tea rooms, tourist homes, massage parlors or similar establishments offering services to the general public.

**Home Office:** An occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display and no equipment other than usual office equipment and no one is employed other than members of the family residing on the premises, and in general an occupation where services are performed in such a way that visits to the premises by members of the public are infrequent. Representative examples include an office for a self employed carpenter, tradesperson, salesman, accountant, or business professional.

**Home Professional Office:** An occupation carried on by the occupant of a dwelling as a secondary use in connection with which there is no display and no equipment other than usual office equipment but which may include up to three (3) employees other than members of the family and visits to the premises by members of the public may be frequent. Such a use is

considered a transitional use between residential and commercial zoning districts. Representative examples include offices for lawyers, accountants, insurance agents, and other business professionals.

**Homeowners Association:** A private nonprofit corporation of homeowners for the purpose of owning, operating, developing, and maintaining various common property and facilities.

**Hospital:** An institution primarily for human in-patient care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities, rendering medical, surgical, obstetrical, or convalescent care, including nursing homes, homes for the aged, and sanatoriums.

**Hospital, Special Care:** A special care hospital shall mean an institution rendering care primarily for mental or feeble-minded patients, alcoholics, or drug addicts.

**Hotel:** A facility offering transient lodging accommodations for ten or more individuals on a daily rate and providing additional services, such as restaurants, meeting rooms, and recreational facilities (See also, Motel).

**I - District:** Any zoning district beginning with "I", such as IL.

**Illustrative Material:** Accompanying pictorial and written data.

**Impervious Surface:** A surface on previously undeveloped land that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water, including gravel driveways and parking areas.

**Improvements:** All utilities, facilities, buildings, and structures including but not limited to streets, cul-de-sacs, storm and sanitary sewers, water lines, curb and gutter, and landscaping required pursuant to the terms of the Ordinances of Warrenton, Virginia.

**Industry, Heavy:** A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

**Industry, Light:** A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including procession, fabrication, assembly, treatment,



packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

**Inn:** See Bed and Breakfast Facility.

**Internal Relationships:** Those associations pertaining to on-site considerations.

**Junk Vehicle:** An inoperable motor vehicle without current Town and State registration.

**Junk Yard:** The use of any area of land lying within one hundred (100) feet of a state highway or the use of more than two hundred (200) square feet of land area in any location for the storage, keeping, or abandonment of junk including scrap metals or other scrap materials. The term "junk yard" shall include the term "automobile graveyard" as defined in Chapter 304, Acts of 1938, Code of Virginia.

**Jurisdiction:** The limits of territory within which authority may be exercised by the governing body.

**Kennel:** See Animal Kennel.

**Landscape Architect:** A person in the practice of landscape design who is certified by the State of Virginia.

**Landscaping:** The modification of existing site conditions by earthwork, planting, and/or structural installation to complete a desired landscape scheme.

**Landscape Design:** The planned treatment of land, structures, plants, topography, and other natural features.

**Laundromat:** A business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises.

**Laundry:** A commercial facility where washing, drying, ironing, and/or dry cleaning is performed but does not include self service machines.

**Laundry, Pick Up-Drop Off:** A business that provides laundry services to customers but washing, drying, or dry cleaning facilities are not located on the immediate premises.

**Loading Space:** A space within the main building or on the same lot providing for the standing, loading, or unloading of trucks and other carriers.

**Lodge:** See Club.

**Lot:** A numbered and recorded portion of a subdivision intended for transfer of ownership or for building development for a single building or accessory building or, in the case of land not transferred for sale, a measured parcel of land having fixed boundaries and designated on a plat or survey showing the metes and bounds or simply described by metes and bounds.

**Lot Area:** The total horizontal area of the lot lying within the lot lines, provided that no area of land lying within any street or right-of-way shall be deemed a portion of any lot area. The area of any lot abutting a street shall be measured to the street right-of-way.

**Lot, Corner:** A lot abutting upon two (2) or more streets at their intersection. The shortest side fronting upon a street shall be considered the front of the lot and the longest side fronting upon a street shall be considered the side of the lot.

**Lot, Coverage:** The area of a site covered by buildings or roofed areas.

**Lot, Depth of:** The average horizontal distance between the front and rear lot lines.

**Lot, Double Frontage:** An interior lot having frontage on two (2) streets.

**Lot, Interior:** A lot other than a corner lot with only one street frontage.

**Lot Line:** A property boundary line of any lot held in single and separate ownership from adjacent property, except that, in the case of any lot abutting a street, the lot line or such portion of the lot as abuts the street shall be deemed to be the same as the street line, and shall not be the center line of the street, or any other line within the street line even though such may be the property boundary line.

**Lot, Pipestem:** A lot with access provided to the bulk of the lot by means of a narrow corridor that does not meet the street frontage requirement of the district regulations.

**Lot of Record:** A lot which has been recorded among the land records in the Office of the Circuit Court of Fauquier County, Virginia.

**Lot, Substandard:** See Nonconforming Lot.

**Lot, Width of:** The horizontal distance between side lot lines measured at the required front setback line.

**Manufacture and/or Manufacturing:** The processing, fabrication, assembly, and distribution of products such as, but not limited to: scientific or precision instruments, photographic equipment, communication equipment, computation equipment, household appliances, toys, sporting and athletic goods, glass products made of purchased glass, electric lighting and wiring equipment, industrial controls, lithographic and printing processes, radio and TV receiving sets, watches and clocks, optical goods, and electrical machinery.

**Materials:** The physical elements of which something is made or fabricated.

**Medical or Dental Clinic:** Any building or group of buildings occupied by medical practitioners and related services for the purpose of providing health services to people on an out-patient basis.

**Meeting Hall:** See Assembly Hall.

**Mini-Warehouse:** A structure containing separate storage spaces of varying sizes leased or owned on an individual basis for self-storage of business, household, or contractors supplies.

**Mobile Home:** A structure, transportable in one or more sections, which is eight (8) body feet in width and which is thirty-two (32) body feet or more in length, and which is built on a permanent chassis and designed to be used with a permanent foundation when connected to the required utilities, used as a year-round single-family residence.

**Mobile Home Park:** A residential neighborhood conforming to the requirements of the MHP Residential District.

**Mobile Home Subdivision:** An arrangement of lots designed and intended for the placement of mobile homes for residential purposes, meeting the requirement of the MHP Residential District.

**Motel:** A building or a group of two (2) or more detached or semi-detached buildings containing rooms or apartments having separate entrances provided directly or closely in connection with automobile parking or storage space serving such rooms or apartments, which building or group

of buildings is designed, intended, or used principally for the providing of sleeping accommodations for automobile travelers and is suitable for occupancy at all seasons of the year.

**Noise:** Sound of a harsh, loud, or confused kind causing disturbance to occupants of an abutting, adjacent, or adjoining property.

**Nonconforming Activity:** The otherwise legal use of a building or structure or a tract of land that does not conform to the use regulations of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.

**Nonconforming Lot:** An otherwise legally platted lot that does not conform to the minimum area or width requirements of this Ordinance for the district in which it is located either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.

**Nonconforming Sign:** An otherwise legal sign that does not conform with the regulations of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.

**Nonconforming Structure:** An otherwise legal building or structure that does not conform with the lot area, yard, height, lot coverage, or other area regulations of this Ordinance, or is designed or intended for a use that does not conform to the use regulations of this Ordinance, for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.

**Nonconforming Use:** An otherwise legal use that does not conform with the regulations of this Ordinance for the district in which it is located, either at the effective date of this Ordinance or as a result of subsequent amendments to the Ordinance.

**Nursery School:** See Child Care Center.

**Nursing Home:** An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity are unable to care for themselves.

**Office:** A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.

**Off-Street Parking Space or Parking Bays:** A reasonably level space, available for the parking of one (1) motor vehicle, not less than nine (9) feet wide and having an area of not less than one hundred sixty-two (162) square feet exclusive of passageways or other means of circulation or access.

**One Hundred-Year Flood:** A flood that, on the average, is likely to occur once every 100 years (i.e., that has a one (1) percent chance of occurring each year, although the flood may occur in any year).

**On-Site:** That area within the boundary of any land to be developed or planned.

**Open Space:** An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes and may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water bodies, but not including driveways, parking lots, and storage yards.

**Open Space, Common:** Open space within or related to a development, not in individually owned lots or dedicated for public use, but which is designed and intended for the common use or enjoyment of the residents of a development.

**Outdoor Storage:** The keeping in an unroofed area of any goods, junk, material, merchandise, or vehicles in the same place for more than one (1) week.

**Owner-Applicant:** See Applicant-Owner.

**Parcel:** A continuous quantity of land in the possession of, owned by, or recorded as the property of the same person or persons.

**Park:** An area open to the general public and reserved for recreational, educational, or scenic purposes.

**Parking Lot:** An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.

**Parking Space, All Weather:** A parking space surfaced to whatever extent necessary to permit reasonable use under all conditions of weather.

**Passive Recreation:** Activity involving minimal physical exertion such as sitting, walking, picnicking, bird watching and reading.

**Passive Recreation Area:** Natural areas, primarily scenic, for passive activities, e.g., sitting, walking, riding, or picnicking.

**Patio House:** For purposes herein, same as atrium house (See Atrium House, Townhouse).

**Performance Bond:** A bond of surety, and/or cash deposit approved by the Governing Body equal to the full cost of improvements required by these regulations and providing for completion of said improvements within a definite term (A performance and payment bond also provides for the payment of subcontractors).

**Personal Service Establishment:** Establishments primarily engaged in the repair, care, maintenance or customizing of personal property that is worn or carried about the person, or is a physical component of the person, such as the following which will serve as illustration: beauty parlors, barber shops, shoe repair, tailor shops, opticians, and similar places of business. Personal Service Establishments do not include dry cleaning plants, or linen or diaper service establishments.

**Pipestem Lot:** See Lot, Pipestem.

**Planned Unit Development:** A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages, including principal and accessory structures and uses substantially related to the character and purposes of the development. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements. It also includes a program for the provision, operation, and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned development but will not be provided, operated, or maintained at public expense.

**Planner:** Person qualified to prepare site development plans, either licensed as such or meeting the educational training and work experience standards for membership of the American Institute of Certified Planners.

**Planning Director:** The Planning Director of the Town of Warrenton, Virginia.

**Plat:** A map or plan of a tract or parcel of land which is to be or has been subdivided (when used as a verb, plat is synonymous with subdivide).

**Porch:** A structure attached to a building to shelter an entrance or to serve as a semi-enclosed space, usually roofed and generally open-sided, but it may be screened or glass enclosed.

**Profile:** A drawing of a side or sectional elevation of an object.

**Property:** Any tract, lot, or parcel, or several of the same collected together for the purpose of subdividing, preparing a site development plan, and/or developing.

**Public Facilities Manual:** The Town of Warrenton Public Facilities Manual. This manual provides standards and specifications for public facilities construction within the Town.

**Public Water and Sewer Systems:** A water or sewer system owned and operated by a municipality or county, or owned and operated by a private individual or a corporation approved by the Governing Body and properly licensed by the State Corporation Commission, and subject to special regulations as herein set forth.

**R - District:** Any zoning district beginning with "R", such as R- 15, R- 10, R-6, RT, and RMF, and also including the MHP and PUD districts.

**Recycling Center:** A facility that is not a junkyard and in which recoverable resources, such as newspapers, glassware, and metal cans, are collected, stored, flattened, crushed, or bundled, either by machine or by hand, within a completely enclosed building, in preparation for further processing or manufacturing at another facility.

**Recycling Collection Point:** An incidental use that serves as a neighborhood drop-off point for recoverable resources, for temporary storage in containers, or small structures, not including processing of such items. Generally, these facilities are located in shopping center parking lots, or other public or semi-public areas such as churches or schools.

**Recycling Plant:** A facility that is not a junkyard and in which recoverable resources, such as magazines, books, and other paper products; glass; metal cans; and other products, are recycled, reprocessed, and treated, within a completely enclosed building, to return such products to a condition in which they may again be used for production.

**Rest Home:** See Nursing Home.

**Restaurant:** An establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state, in individual servings, or in nondisposable containers, and where the customer consumes these foods while seated at tables or counters located within the building. This definition also includes cafes, tea rooms, confectionery shops, refreshment stands, and outdoor cafes.

**Restaurant, Drive-Thru:** An establishment that delivers prepared food, beverages, and/or desserts to customers in motor vehicles, regardless of whether or not it also serves customers who are not in motor vehicles, for consumption on or off the premises.

**Restaurant, Fast Food:** An establishment whose principal business is the sale of pre-prepared or rapidly prepared food, beverages, and/or desserts directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises. Orders are not generally taken at the customer's table and food is generally served in disposable wrapping or containers.

**Retail Stores and Shops:** Buildings for display and sale of merchandise at retail (but specifically exclusive of coal, wood, and lumber yards), such as the following which will serve as illustration: drugstore, newsstand, food store, candy shop, dry goods and notions store, antique store, gift shop, hardware store, household appliance store, furniture store, florist, music and radio store.

**Retention Facility:** The same as a Detention Facility except that the lower water elevation of the pond may be at a level lower than the normal hydraulic grade line of the drainage system into which it drains. Water detained in this lower elevation must therefore be dissipated by evaporation, seepage into the soil, or retained as a permanent water pool.

**Reverse Frontage:** A lot with double frontage which is not accessible from one of the streets upon which it fronts, usually the street designed for or experiencing the highest vehicular traffic volumes.

**Right-of-Way:** A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use.

**Road, Public:** All public property reserved or dedicated for street traffic, maintained by the Town of Warrenton or the Virginia Department of Highways.



**Road, Private:** A way open to vehicular ingress and egress established as a separate tract for the benefit of certain adjacent properties, not including driveways, and not maintained by the Town of Warrenton or the Virginia Department of Highways.

**Rooming House:** See Boarding House.

**Satellite Dish Antenna:** A device incorporating a reflective surface that is solid, open mesh, or bar configured, usually in a round, parabolic shape, intended to receive and/or transmit radio, electromagnetic, or microwaves from terrestrially based and/or orbitally based sources.

**School:** Any public, parochial, or private place of instruction that provides a curriculum of elementary or secondary academic instruction, including kindergartens, elementary schools, middle schools, junior high schools, vocational schools, and high schools, meeting all the licensing requirements of the Commonwealth of Virginia.

**Screening:** See Buffer.

**Seating Capacity:** The actual seating capacity of an area based upon the number of fixed seats or one (1) seat per eighteen (18) inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be one (1) seat for every seven (7) square feet of net floor area, excluding floor area devoted to permanent displays and/or storage.

**Self-Service Storage Units:** See Mini-Warehouse.

**Service Station:** Buildings and premises where the primary use is the supply and dispensing of retail motor fuels, lubricants, batteries, tires, motor vehicle accessories, and/or light maintenance activities, performed within an enclosed building, such as engine tuneups, lubrication, and minor or emergency repairs. This definition does not include heavy automobile maintenance activities such as engine overhauls, automobile painting, and body or fender work.

**Setback:** The minimum distance by which any building or structure must be separated from the front, side, or rear lot line.

**Setback Line:** The line which establishes the required setback. The same as building line.

**Shopping Center:** A grouping of retail business and service uses on a single site with common parking facilities.

**Sign:** Any display of any letters, words, numerals, figures, devices, emblems, pictures, or any parts or combinations thereof, by any means whereby the same are made visible for the purpose of making anything known, whether such display be made on, attached to, or as a part of a structure, surface or any other thing, including, but not limited to, the ground, any rock, tree, or other natural object, which display is visible on or beyond the boundaries of the parcel of land on which the same is made. A display of less than two (2) square feet in area is excluded from this definition.

**Sign, Advertising:** A sign directing attention to a product offered upon the premises, but which product or service is or could be offered elsewhere than on the same premises, with the exception that where the trade name of the product is a basic factor in directing attention to the business, the display of that sign shall be considered a business use.

**Sign, Area:** That area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area. Only one (1) side of a double-faced sign shall be included in a computation of sign area; for other signs with more than one (1) face, each side shall be included in a computation of sign area. The area of a cylindrical or spherical sign shall be computed by multiplying one-half of the circumference by the height of the sign area.

**Sign, Banner:** A temporary sign announcing the name, time and place of a special event within the Town conducted by a public agency, or for the benefit of any civic, fraternal, religious, or charitable cause, such sign to be displayed above a public right-of-way.

**Sign, Billboard:** Any sign that identifies or communicates a commercial or noncommercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located, excluding directional signs.

**Sign, Canopy:** A sign painted or attached to a covered area or structure which extends from the wall of a building, including awnings.

**Sign, Commercial:** A sign directing attention to a business, commodity, service, or entertainment conducted, sold or offered on the same premises upon which the sign is maintained (See Advertising above).

**Sign, Directional:** A sign marking an entrance or exit or giving other directions to the general public.

**Sign, Double-Faced:** A sign with two (2) parallel or nearly parallel faces, back to back, upon which advertising is displayed.

**Sign, Electronic Message Board:** Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

**Sign, Flashing:** Any illuminated sign on which there is artificial light which is not stationary or constant in intensity or color at all times when such sign is in use.

**Sign, Free Standing:** A sign supported by one (1) or more upright poles, columns, or braces placed in or on the ground and not attached to any building or structure.

**Sign, Ground:** Ground sign shall include any sign supported by uprights or braces placed in the ground and not attached to any building.

**Sign, Height:** The vertical distance from the street grade or the average lot grade at the front setback line, whichever produces the greater vertical distance, to the highest point of the sign.

**Sign, Identification:** A sign indicating the name of a permitted use, the name or address of a building, or the name of the management thereof.

**Sign, Illuminated:** Any sign which has character letters, figures, designs, or outlines illuminated by electric lights or luminous tubes as a part of the sign proper.

**Sign, Indirectly Illuminated:** A sign which does not produce artificial light from within itself but which is (1) opaque and backlighted or (2) is illuminated by spotlights or floodlights not a part of or attached to the sign itself. Also, for purposes of this Ordinance, a sign of translucent nontransparent material illuminated from within with no exposed or exterior bulbs, tubes, or other light source.

**Sign, Informational:** A sign conveying instructions with respect to the premises on which it is maintained or giving directions, or providing information to the public at large by official notices, place names, tourist information, and the like.

**Sign, Marquee:** Any canopy or other covered structure other than a projecting sign projecting from and wholly supported by a building and extending beyond the building wall.

**Sign, Painted:** Any sign painted on the exterior surface of a building.

**Sign, Portable:** Any sign not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, or service, or entertainment, when that vehicle is so parked as to attract the attention of the motoring or pedestrian traffic.

**Sign, Projecting:** A sign attached to a building, approximately perpendicular to the building wall.

**Sign, Real Estate:** A sign that advertises the property on which it is located, for sale, rent, or lease. Such signs shall be removed upon the sale, rental, or lease of the property on which it is located.

**Sign, Roof:** Any sign erected, constructed, and maintained wholly upon or over the roof of any building.

**Sign, Shopping Center:** Any sign designating a group of retail stores, laid out and developed or operated as a unit according to an integrated design plan, which states the name of the center but not individual stores, products, or services.

**Sign, Structure:** Includes the supports, uprights, bracing, and framework of any structure, be it single-faced, double-faced, v-type, or otherwise, exhibiting a sign.

**Sign, Temporary:** A sign applying to an activity such as horse shows, auctions, carnivals, festivals, or other community sponsored activities, or advertising the grand opening, closing, or other special event of a commercial nature, and intended to be displayed for not more than thirty (30) days.

**Sign, Wall:** Any signs or lettering, projecting not more than eight (8) inches, which are placed against or attached to the front, rear, or side wall of a building, but shall not include professional name-plates. If the sign is composed of individual letters attached to the wall, the area between letters shall be included in size calculations.

**Sign, Window:** A sign painted, stenciled, or affixed on a window, which is visible from a right-of-way.

**Simplicity:** Directness of expression in design.

**Site Development Plan:** Detailed drawings indicating all building construction and land improvements, including landscape treatments and related information as required by this Ordinance. Also defined as the Site Development Plan Ordinance, Town of Warrenton, Virginia, December, 1970.

**Special Exception:** A use that would not be appropriate generally or without restriction throughout a zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would not be detrimental to public health, safety, or general welfare, as determined by the Board of Zoning Appeals under the terms and conditions of this Ordinance.

**Special Use Permit:** A use that, owing to some special characteristics attendant to its operation, installation, or relation to the neighborhood, is permitted in a district, subject to Town Council Approval in accordance with Article 4, Section 4-8, thereof, and subject to special requirements different from those usual requirements for the district in which the special use is located.

**Specifications:** A detailed, precise presentation of the materials and procedures to be employed in the construction of all physical improvements required by the ordinance applicable in the Town of Warrenton, Virginia.

**Steep Slope:** A slope exceeding fifteen (15) percent grade.

**Story:** That portion of a building, other than the basement, included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, the space between the floor and the ceiling next above it.

**Story, Half:** A space under a sloping roof, which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two thirds of the floor area is finished off for use.

**Street:** A strip of land subject to vehicular and/or pedestrian traffic providing means of access to property; also designated as road, lane, drive, avenue, right-of-way, highway, boulevard, trail, court, place, terrace, etc.

**Street, Arterial:** A highway utilized primarily as a supplement to, and an extension of, the interstate highway system, defined in the Virginia State Highway Commission Standards as an arterial highway. A minimum right-of-way of one hundred twenty (120) feet is required and carrying capacity is in excess of eight thousand (8,000) vehicles per lane per day.

**Street, Collector:** Any existing or future street shown as a collector street on the adopted Comprehensive Plan or that carries a volume of through traffic between four hundred (400) and three thousand (3,000) vehicles per day.

**Street, Interstate:** A thoroughfare utilized to carry interstate traffic with a minimum right-of-way of three hundred (300) feet in rural area and carrying capacity in excess of fifteen hundred (1,500) vehicles per lane per hour.

**Street, Line:** The dividing line between a street or road right-of-way and the contiguous property.

**Street, Local:** A street that carries or is anticipated to carry a volume of traffic less than four hundred (400) vehicles per day, the right-of-way of which shall not be less than fifty (50) feet.

**Street, Primary Thoroughfare:** A street that carries or is anticipated to carry a volume of traffic exceeding three thousand (3,000) vehicles per day, the right-of-way of which shall not be less than seventy (70) feet, and should, where feasible, have a minimum right-of-way of ninety (90) feet.

**Street, Private:** A local or collector street constructed to Town and State standards or the equivalent thereto, guaranteed to be maintained by a private corporation by means of a covenant, deed, and easement acceptable to the Town of Warrenton. Such streets shall have guaranteed public vehicular access.

**Street, Secondary Collector:** A street that carries or is anticipated to carry a volume of through-traffic exceeding four hundred (400) vehicles per day, the right-of-way of which shall not be less than fifty (50) feet nor more than ninety (90) feet depending upon existing or anticipated traffic volume.

**Street, Service Drive:** A public right-of-way generally parallel with and contiguous to a major highway. Primarily designed to promote safety by eliminating pernicious ingress and egress to the major safe and orderly points of access to the major highway.

**Street, Width:** The total width of the strip of land dedicated or reserved for public travel includes roadway, curb and gutter, sidewalks, planting strips, and where necessary, utility easements.

**Structure:** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. This includes, among other things, dwellings, buildings, signs, etc., but not private driveways.

**Subdivide:** To divide any tract, parcel, or lot of land into two (2) or more parts for the purpose of transferring ownership of any part or for the purpose of building development of any sort. The term "subdivide" includes the term "resubdivide" and when appropriate to the context shall relate to the process of subdividing.

**Surveyor, Land:** An individual who is recognized by the Commonwealth of Virginia and who is registered with the State Department of Professional and Occupational Registration as a "registered land surveyor."

**Tea Room:** A room or rooms within a private residence, where teas, other beverages, and food products are provided for compensation. The operator of the facility shall live on the premises.

**Tourist Home:** A dwelling where only lodging is provided for compensation for up to five (5) persons (in contradistinction to hotels and boardinghouses) and open to transients.

**Town Engineer:** The duly appointed Town Engineer for Warrenton, Virginia.

**Townhouse:** See Dwelling, Townhouse.

**Town Manager:** The duly appointed Town Manager for Warrenton, Virginia.

**Transitional Housing:** The housing is designed to provide temporary housing for not more than four (4) unrelated persons for a maximum of six months. Transitional housing and counseling services shall be provided by a coalition of churches and/or human service organizations. A house coordinator must reside on the premises, and a substitute house coordinator shall be on the premises if the house coordinator is away from the residence for more than one day. (Amended by Council 5/14/96)

**Travel Lane:** Space specifically designated and reserved on the site for the movement of vehicular traffic.

**Travel Trailer:** A mobile unit less than twenty-nine (29) feet in length and less than four thousand five hundred (4,500) pounds in weight which is designated for temporary human habitation.

**Tree Protection Zone:** An area that is radial to the trunk of a tree in which no construction activity shall occur. The tree protection zone shall be fifteen (15) feet from the trunk of the tree to be retained, or the distance from the trunk to the dripline, whichever is greater. Where there are a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

**Use:** Activity proposed for any portion or part of a parcel, tract, or lot.

**Use, Accessory:** See Accessory Use.

**U.S.G.S.:** U.S. Geological Survey.

**U.S.C. & G.S.:** U.S. Coast and Geodetic Survey.

**Utility:** (1) Facilities provided by any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other similar service; (2) A closely regulated private enterprise with an exclusive franchise for providing a public service.

**Variance:** A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

**Veterinary Hospital:** A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

**Warehouse:** A building used primarily for the storage of goods and materials.

**Wall:** A structure which serves to enclose or subdivide a building, usually presenting a continuous surface except where penetrated by doors, windows, and the like.

**Wayside Stand, Roadside Stand, Wayside Market:** Any structure or land used for the sale of agricultural or horticultural produce, livestock, or merchandise produced by the owner or his family on their farm.



**Wholesale Establishments:** A business and its premises where goods are sold on a bulk basis to distributors and direct sales to the general public are limited.

**Woodland:** An area comprising one (1) or more acres of wooded land where the largest trees have at least a six (6) inch caliper, or a grove of trees forming one (1) canopy where ten (10) or more trees have at least eight (8) inch calipers.

**Yard:** An open space on a lot other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

**Yard, Front:** An open space on the same lot as a building between the nearest front line of the building (exclusive of steps) and the front lot or street line, and extending across the full width of the lot.

**Yard, Rear:** An open unoccupied space on the same lot as a building between the nearest rear line of the building (exclusive of steps) and the rear line of the lot, and extending the full width of the lot.

**Yard, Sale:** Use of the premises of a residential dwelling for general sales of a temporary nature, open to the public with the purpose of disposing of personal, family, or household goods or articles. The term yard sale includes but is not limited to activities known as garage sales, porch sales, backyard sales, and moving sales.

**Yard, Side:** An open unoccupied space on the same lot as a building between the nearest side line of the building (exclusive of steps) and the side line of the lot, and extending from the front yard line to the rear yard line.

**Zero Lot Line:** The location of a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line. The side(s) of the building resting on the line typically does not include windows.

**Zoning Administrator:** An employee of the Planning Department designated by the Town Director of Planning to administer this Ordinance.